

REMARKS

Claims **1-6** and **13-26** are pending in the application.

Claims **1-6** and **13-26** stand rejected.

Claims **1, 3** and **5** have been amended. Support for these amendments can be found throughout the originally filed application. For example, support can be found at pages 11-12 of the Specification

Claim **27** has been added. Support for this claim can be found throughout the originally filed application. For example, support can be found in the first paragraph of page 2, the second full paragraph of page 9 and pages 11-13 of the Specification.

Rejection of Claims under 35 U.S.C. § 101

Claims 1, 2, and 13-17 stand rejected under 35 U.S.C. § 101 because the claimed invention purportedly fails to “be tied to a particular machine (or apparatus).” Office Action, p. 2. However, Applicants note that independent claim 1 recites “creating, using a computer processor, a new expense report.” Thus, contrary to the Office Action’s assertion, claim 1 is tied to a particular machine or apparatus. In addition Applicants amendments further tie claim 1 to a database, which further ties claim 1 to a machine or apparatus. Since claims 2 and 13-17 depend upon claim 1, they are also tied to a particular machine or apparatus. Thus, Applicants respectfully request the withdrawal of the rejection against claims 1, 2, and 13-17.

Rejection of Claims under 35 U.S.C. § 112

Claims 1, 3 and 5 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 3, and 5 previously recited “consulting a pre-determined mapping” The Office Action indicated that “consulting” purportedly “implies a distinct human mental step.” Office Action, p.

3. While Applicants maintain that the Office Action's position is mistaken, Applicants have amended the claims to address this rejection, in order to advance prosecution. Applicants therefore respectfully request the withdrawal of the rejection.

Rejection of Claims under 35 U.S.C. § 102

Claims 1-6 and 13-26 stand rejected under 35 U.S.C. § 102(b) as purportedly being unpatentable over Vance, U.S. Patent No. 6,442,526 ("Vance"). *See* Office Action, p. 4. Applicants traverse this rejection and offer amendments.

Comments Related to Claims 1-6 and 13-26

Applicants maintain that the posited teachings of Vance continue to suffer from a fatal flaw with regard to the claimed invention, as was noted in the prior response. Independent claim 1 recites the limitations of (1) receiving an activation of a first button and (2) after receiving the activation of the first button, in response to the activation of the first button: establishing a user-selected activity type for an activity item, wherein the establishing the user-selected activity type comprises receiving a user input selecting a single activity type. Thus, claim 1 requires at least two distinct actions. Claim 1 recites that (1) a first button is activated, and (2) a user input selecting a single activity type is received. These actions must be distinct since one is performed after and in response to the other.

However, the Office Action attempts to equate the activation of Vance's new trip icon with the claimed activation of the first button (*see* Office Action, p. 4), while at the same time, equating it with the claimed action of receiving a user input selecting a single activity type (*id.*). Thus, the cited sections of Vance at least fail to teach both of the above two distinct actions. This

follows even if the activation of Vance's new trip icon were comparable with either of the above actions (a proposition Applicants do not endorse). Therefore, the cited sections of Vance cannot teach the above limitations. The present Office Action not only fails to demonstrate how this logical incongruity might be ameliorated to maintain a rejection using Vance, but in fact fails to even acknowledge Applicants' (well-founded) arguments in this regard.

In addition, the cited sections of Vance fail to teach establishing a user-selected activity type for an activity item. The Office Action asserts that the activation of Vance's rental car icon teaches establishing a user-selected activity type. *See* Office Action, p. 4. But the sections of Vance relied upon by the Office Action to support this assertion merely state that “[t]he traveler 86 may select the Rental Car icon 390 to see the Car Request Information window 392.” Vance 11:66-67. Thus, the cited sections fail to teach or suggest establishing a type for anything whatsoever. If the Office Action intended to take Official Notice that the activation of a rental car icon establishes an activity type, Applicants respectfully note that the Office Action has failed to provide the required clear and unmistakable technical line of reasoning to support such a conclusion. *See* MPEP 2144.03(B).

In addition claim 1 has been amended to recite a plurality of expense types and “accessing a pre-determined mapping from the plurality of activity types to the plurality of expense types.” The Office Action relies upon Vance 8:66-9:10 for a teaching of accessing the claimed pre-determined mapping. *See* Office Action, p. 5. The cited section of Vance states:

Now turning to FIG. 10, a detailed block diagram of the expense reporting 80 from FIG. 3 is illustrated. The create expense form process 274 provides secured access to the expense forms, autofills the forms with data from the employee profile table 94 and allows the traveler 86 to construct an expense report semi-automatically as well as by pulling stored data from the trip table 128. The create expense form process 274 imports data from the expense category table 168, the expense policy table 174, and the travel policy table 98, and provides this

information to the traveler 86 so that the traveler 86 can construct a policy compliant expense report.

Vance 8:66-9:10. However, the Office Action equates the buttons on the top menu bars of figures 15A-G with the claimed plurality of activity types. *See* Office Action, p. 5. As is clear from the above quotation, the cited section of Vance fails to mention or refer to the buttons on the top menu bars of figures 15A-G. Thus, the cited section of Vance fails to teach the above amendment.

For at least these reasons, Applicants respectfully request the reconsideration and withdrawal of the rejection against claim 1 and its dependent claims, and a notice of the allowance of the same. Further, Applicants respectfully request the reconsideration and withdrawal of the rejection against independent claims 3 and 5, together with their respective dependent claims, and a notice of the allowance of the same, for at least the foregoing reasons, since claims 3 and 5 have been amended to recite similar limitations and have been rejected on identical grounds.

In addition, Applicants respectfully submit that the Office Action's response (*see* Office Action, p. 10) to Applicant's assertion that Vance fails to either explicitly or inherently teach consulting a pre-determined mapping from activity types to expense types fails to address Applicant's arguments.

Applicants pointed out that dependent claims 1, 3, and 5 each recite limitations related to establishing an expense type for a created expense item, wherein the establishing the expense type comprises consulting a pre-determined mapping from activity types to expense types. The Office Action asserts that Vance 8:66-9:10 teaches consulting a pre-determined mapping from activity types to expense types to automatically establish an expense type for the created expense item. *See* Office Action, p. 5. However, Applicants pointed out that no details concerning the

manner in which Vance's expense form is created are provided by Vance 8:66-9:10. Thus, Vance 8:66-9:10 does not explicitly teach or suggest consulting a pre-determined mapping of any kind. In addition, Applicants argued that since Vance's expense form can be created in a number of ways without consulting a pre-determined mapping from activity types to expense types, Vance 8:66-9:10 does not inherently teach or suggest consulting a pre-determined mapping of any kind. Applicant's pointed out that Vance's expense form may be created, for example, by consulting a mapping from various user-input fields, in which expense data is entered, to various elements of a data structure in which the expense data is stored, to various output fields on the expense form. In addition, Applicant's pointed out that Vance's expense form can be created without consulting any mapping at all. The invention purportedly disclosed in Vance may simply comprise instructions that specify that data is retrieved from a given source and output to a certain field in Vance's expense form. Thus, Applicants concluded that even if the output fields of Vance's expense form were associated with or are expenses of a certain type (a point which Applicants do not concede), it cannot be concluded that Vance shows, teaches, or suggests consulting a mapping from activity types to expense types.

In response to Applicants points, the Office Action merely reiterated its position, stating that “[p]redetermined mapping described in the specification as an activity item automatically associated with a particular expense type, is shown in Vance column 9, lines 1-10, autofill.” Office Action, p. 10. Thus, Applicants respectfully request further consideration of their arguments and, if the Examiner continues to believe that Applicants arguments are in error, a more detailed explanation of the Examiner's position regarding these arguments.

Comments Related to New Claim 27

In addition, Applicants have added the following new claim 27:

27. (**New**) The method of claim 1, further comprising receiving from at least one user information creating each of the plurality of activity types, information creating each of the plurality of expense types, and information determining the pre-determined mapping, wherein the pre-determined mapping associates each of the plurality of expense types with at least one of the plurality of activity types; storing the information creating each of the plurality of activity types, the information creating each of the plurality of expense types, and the information determining the pre-determined mapping in the database, in response to the receiving, wherein the storing is performed before the displaying, the information creating each of the plurality of activity types comprises information indicating whether one of the plurality of activity types is expensible, the information determining the pre-determined mapping comprises a plurality of keys, each of which is assigned to one of the plurality of expense types and to at least one of the plurality of activity types, a one of the plurality of activity types represents a type of meeting, the first one of the plurality of activity types is associated with an instance of the first one of the plurality of activity types, and the instance is a specific meeting with a client.

Even if the Office Action's position with regard to the limitations of claim 1 were taken to be correct *arguendo* (a position Applicants are unwilling to concede), Applicants submit that under such an interpretation, Vance would still fail to teach the limitations of claim 27 for at least the following reasons:

1. The Office Action equates the buttons on the top menu bars of figures 15A-G with the claimed plurality of activity types, as stated above, and Vance fails to teach that information is either received from a user creating these buttons or stored in response to receiving such information, as would be required by claim 27.
2. The cited sections of Vance fail to teach information creating Vance's buttons comprises information indicating whether one of the buttons is expensible, as would be required by claim 27.
3. The cited sections of Vance fail to teach receiving information from a user either creating each of the plurality of expense types or determining the pre-determined mapping or storing such information in response to receiving such information, as would be required by claim 27. As alluded to above, the Office Action relies upon Vance 8:66-9:10 in order to find a purported

teaching of a pre-determined mapping. It also relies upon this section for a teaching of the claimed expense types. *See* Office Action, p. 5. But as can be seen by referring to the quotation given above, this section of Vance discusses an automated process. Thus, it cannot contain any teachings related to a user. In addition it fails to provide any details on the creation of expense types or the determining of a mapping. Thus, it cannot teach the storing of such information in response to any other occurrence.

4. The cited sections of Vance cannot teach that either information from a user creating each of the plurality of expense types or information from a user determining the pre-determined mapping is stored before displaying controls including a first button and a second button, as would be required by claim 27. This follows from at least the fact that the activities described in Vance 8:66-9:10, which the Office Action relies upon in order to find a purported teaching of a pre-determined mapping, relate to creating an expense form. Thus, these activities must occur after Vance displays its new trip button 362, which is activated in order to plan the trips being expensed (*see* Vance 11: 41-59) and which the Office Action equates with the claimed first button.
5. The cited sections of Vance fail to teach a pre-determined mapping comprising a plurality of keys, each of which is assigned to one of the plurality of expense types and to at least one of the plurality of activity types, as recited by claim 27.
6. The cited sections of Vance fail to teach that one of the plurality of activity types represents a type of meeting. None of the buttons on the top menu bars of figures 15A-G, which the Office Action equates with the claimed plurality of activity types, as stated above, are identified as being associated with a meeting.
7. The cited sections of Vance fail to teach that the one of the plurality of activity types is associated with an instance that is a specific meeting with a client.

For at least these reasons, Applicants respectfully submit that claim 27 is in condition for allowance. Therefore, Applicants respectfully request a notice of the allowance of the same.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

I hereby certify that this correspondence is being submitted to the U.S. Patent and Trademark Office in accordance with 37 C.F.R. § 1.8 on October 7, 2009 by being (a) transmitted via the USPTO's electronic filing system; or (b) transmitted by facsimile to 571-273-8300; or (c) deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450.

/ Samuel G. Campbell, III /

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DATE

October 7, 2009

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Respectfully submitted,

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